

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: : Bankruptcy No. 21-11666-pmm
Michael J Castanaro : Chapter 13
Debtor :
: :
Carvana, LLC :
: :
Movant :
: :
vs. :
Michael J Castanaro :
Debtor/Respondent :
: :
and :
Scott F. Waterman, Esquire :
Trustee/Respondent :
: :

OBJECTION TO CONFIRMATION OF THE PLAN

Carvana, LLC (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor, Michael J Castanaro (“Debtor”), as follows:

1. As of the bankruptcy filing date of June 11, 2021, Movant holds a secured Claim against Debtor's Vehicle, a 2018 Lexus IS, VIN #JTHBA1D23J5066469 (the "Vehicle").
2. On June 15, 2021, Movant filed Proof of Claim citing a total secured claim in the amount of \$27,196.45 with an interest rate of 17.659%.
3. The Plan does not list Movant's secured Claim.
4. The Plan violates of 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim, as the debt was incurred on April 10, 2021, which is within 910 days of the filing of the instant bankruptcy.
5. Any attempt by the Debtor to modify any portion of this Contract with Movant should be denied.

6. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

Respectfully submitted,

Dated: 07/08/2021

/s / Bradley J. Osborne, Esquire
Bradley J. Osborne, Esquire
Hladik, Onorato & Federman, LLP
Attorney I.D. # 312169
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North Wales, PA 19454
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**CERTIFICATE OF MAILING OF OBJECTION TO THE PROPOSED
PLAN TO PARTIES IN INTEREST**

I, Bradley J. Osborne, Esquire, attorney for Carvana, LLC (“Movant”), certify that I served a copy of the attached Objection to the Plan to the parties below on 07/08/2021:

Brad J Sadek, Esquire
Via ECF
44-6-14-D-14

Attorney for Debtor

Scott F. Waterman, Esquire
Via ECF
Trustee

Michael J Castanaro
1112 Landis Road
East Greenville, PA 18041
Via First Class Mail
D-16

Debtor

Date: 07/08/2021

Respectfully Submitted,
/s / Bradley J. Osborne, Esquire
Bradley J. Osborne, Esquire
Hladik, Onorato & Federman, LLP
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